

03-0906

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Docket No.: 5077-000074/US/DVA
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ichiro Yamashita

Application No.: 10/628,840

Confirmation No.: 1634

Filed: July 28, 2003

Art Unit: 1634

For: Nucleotide Detector, Method For
Manufacturing The Same, And Method For
Producing Particulate Film

Examiner: B. J. Forman

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the election requirement, applicant hereby elects the species covered by Group II (Claims 17-28), drawn to method for making a nucleic acid detector.

Applicant's election is made without prejudice and Applicants reserve the right to prosecute the non-elected inventions (Group I, Claims 14-16; and Group III, Claim 29) at a later date. As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to not more than a reasonable number of species in addition to the elected species, provided that all claims to each additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.146.

An action on the merits of all the claims and a Notice of Allowance thereof are respectfully requested.

GAS/kk

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0750, under Order No. 5077-000074/US/DVA from which the undersigned is authorized to draw.

Dated: March 8, 2006

Respectfully submitted,

By Gregory A. Stobbs

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